



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt a resolution approving specifications, authorizing the bidding process as required, and further authorizing the City Manager to award or reject contract up to \$5,000 for services for the abatement of violations at the property located at 2019 Kenway Court, Assessor's Parcel No. 029-160-36

MEETING DATE: April 6, 2005

PREPARED BY: Community Improvement Manager

RECOMMENDED ACTION: That the City Council approve the specifications for the abatement of zoning violations at the property located at 2019 Kenway Court, Lodi, CA., authorize the solicitation of bids for said abatement action and further authorize the City Manager to award or reject contract up to \$5,000 for services for the abatement.

BACKGROUND INFORMATION: The Community Development Department - Community Improvement Division issued a Notice of Violation to Ronuld Sorensen on January 13, 2004, for code violations that were found upon his residential property located at 2019 Kenway Court. Those violations pertain to an illegal and unsafe treehouse that has been constructed in his rear yard and an unpermitted patio cover that is built too close to the property line. Through that Notice of Violation, the owner had an opportunity to appeal these issues to the Planning Commission. No appeal was submitted.

Community Improvement staff have tried to work with Mr. Sorensen to gain his voluntary compliance on these issues to no avail. Mr. Sorensen has refused to respond to written communications and attempts to contact him in person at the property. In the meantime, complaints still continue to be received regarding the illegal treehouse, which is visible from the street and is as close as one-foot away from adjacent properties.

This case was forwarded to Deputy City Attorney Janice Magdich, who issued a Notice of Non-compliance letter on February 11, 2005, requiring that these outstanding violations be corrected. She received no reply to that letter and as of the compliance date, the violations remained unabated. This issue was subsequently brought before the City Council in closed session on March 16, 2005, where direction was given to pursue the abatement of these violations.

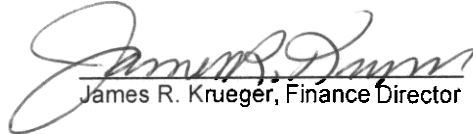
Staff has prepared specifications for the removal of the unsafe treehouse and the unpermitted patio cover that will be distributed to the list of abatement contractors that are used by the Community Development Department for this type of action. Staff is prepared to solicit bids for the specified work and obtain the necessary authorization from the Court to lawfully enter upon the property to carry out the required abatement action, once a contract for the abatement services has been obtained.

APPROVED: 
Blair King, City Manager

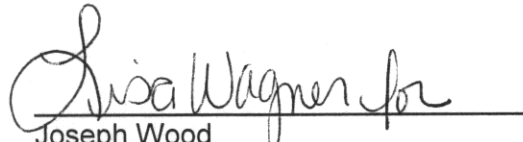
FISCAL IMPACT:

Cost of abatement is estimated to be approximately \$5000.
Costs to be recovered through either a lien on the property or a special assessment.

FUNDING AVAILABLE: Repair and Demolition Fund



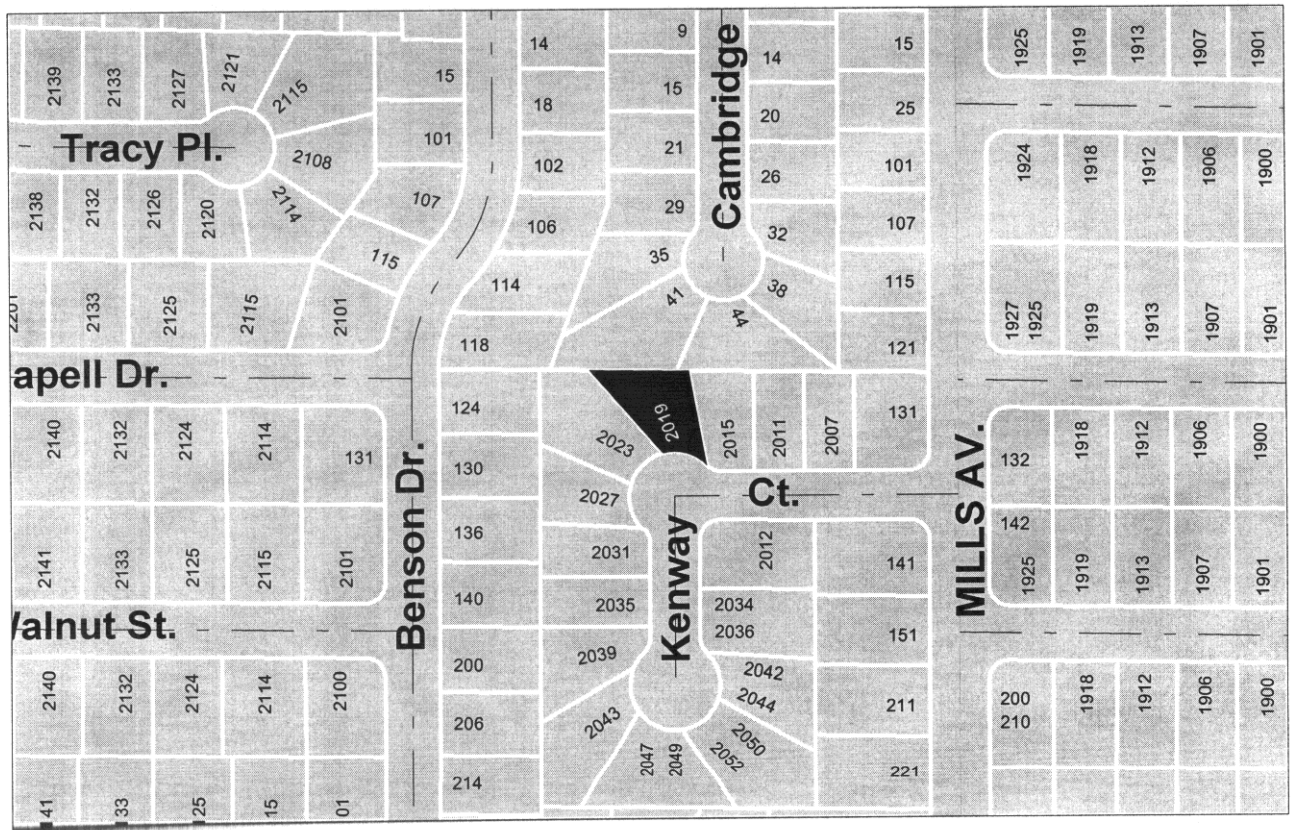
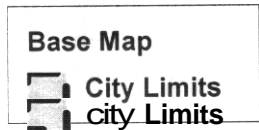
James R. Krueger, Finance Director



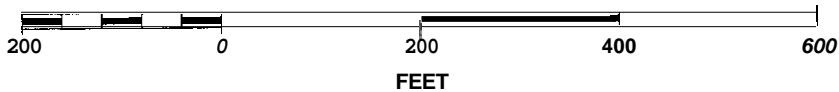
Joseph Wood
Community Improvement Manager

cc: City Attorney

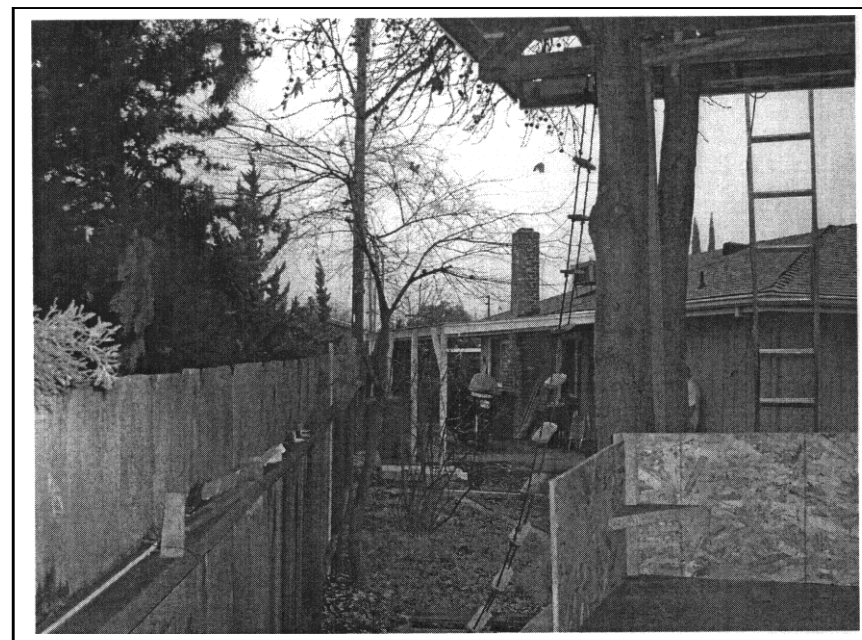
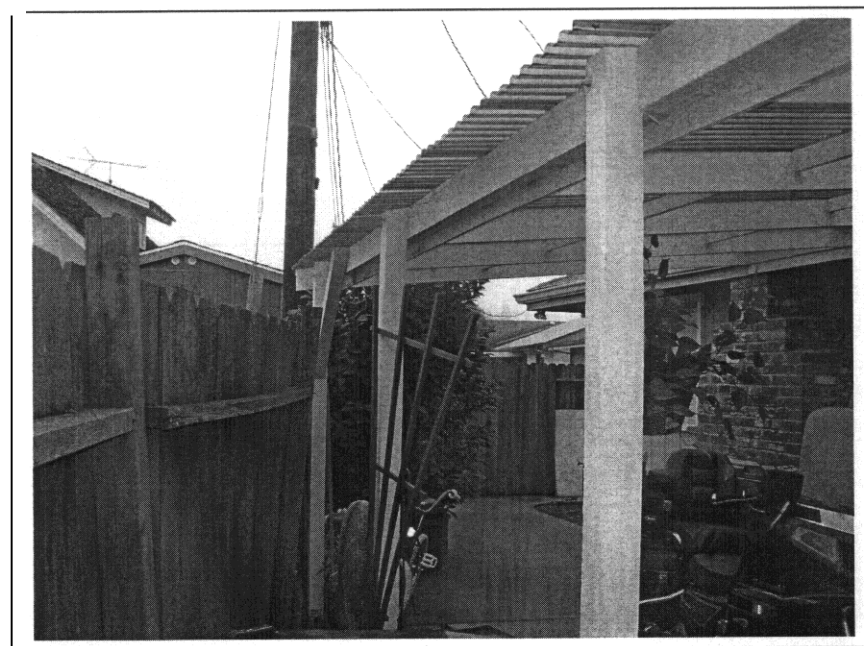
2019 Kenway Court



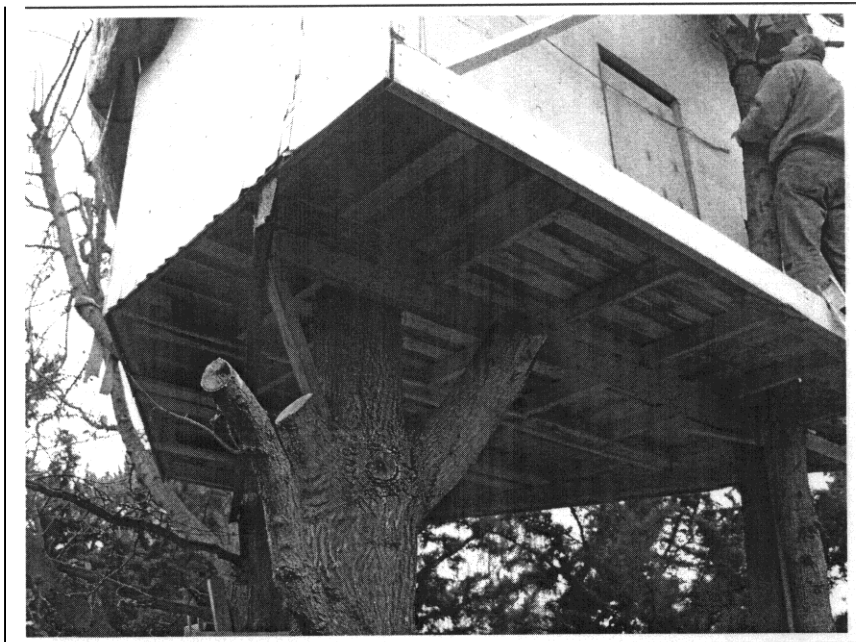
SCALE 1 : 2,318



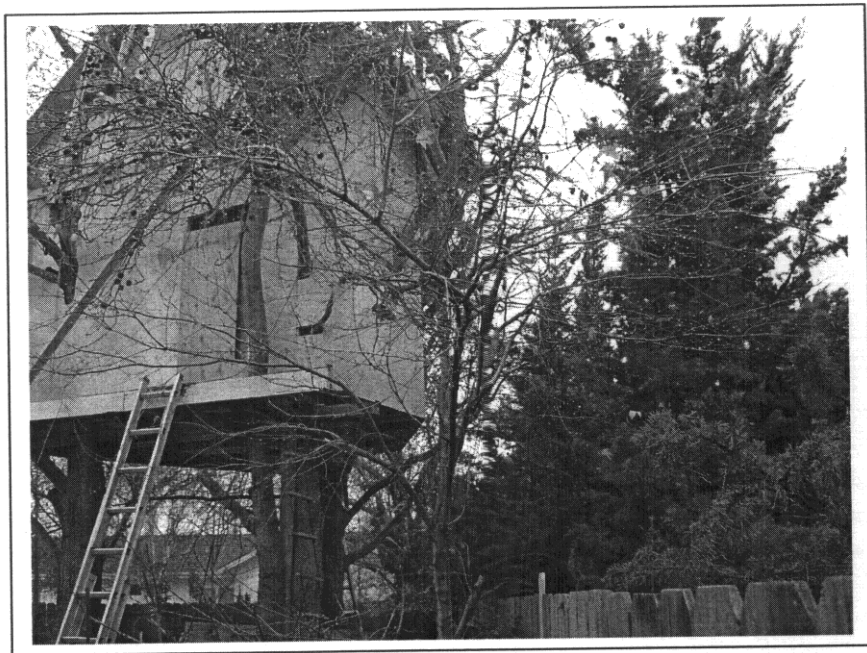
2019 KENWAY COURT (January 9, 2004)



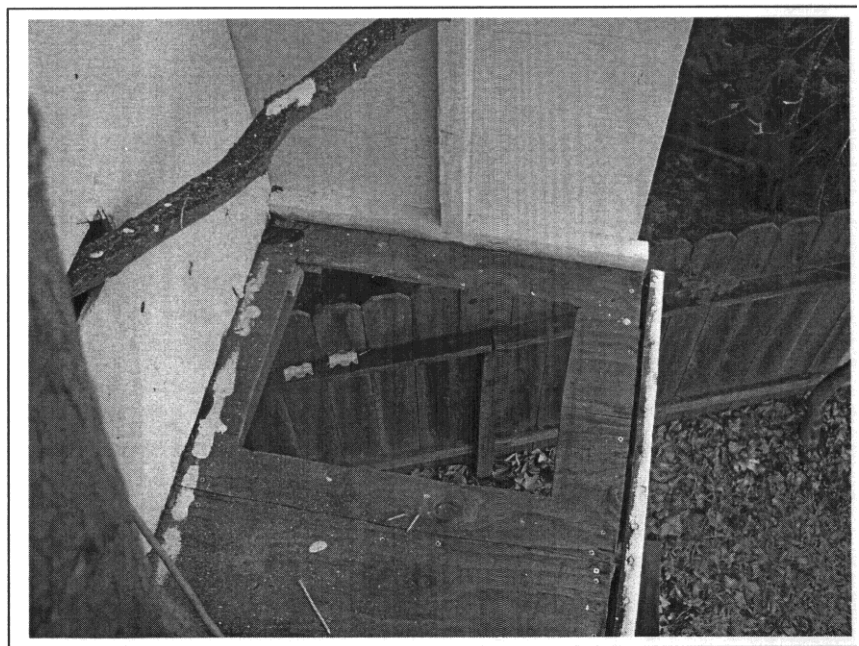
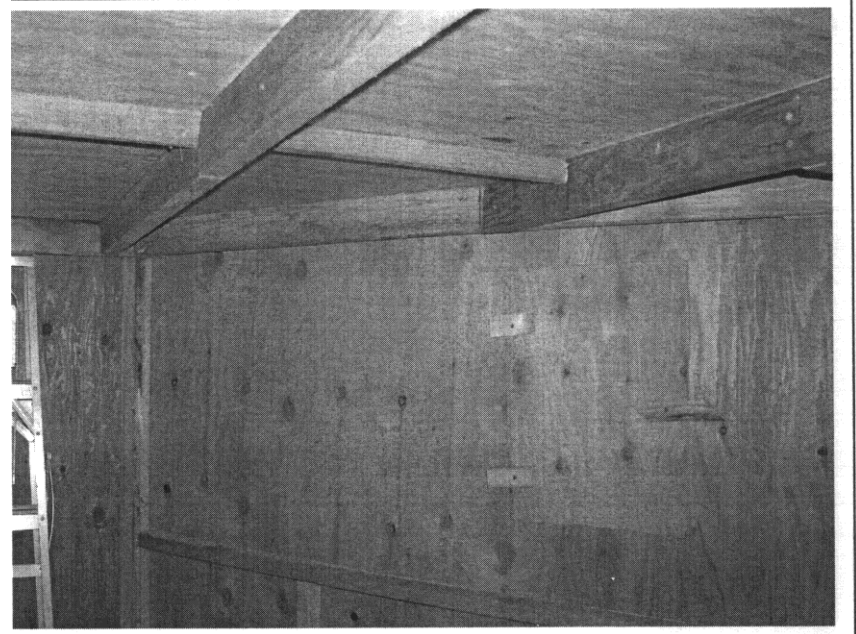
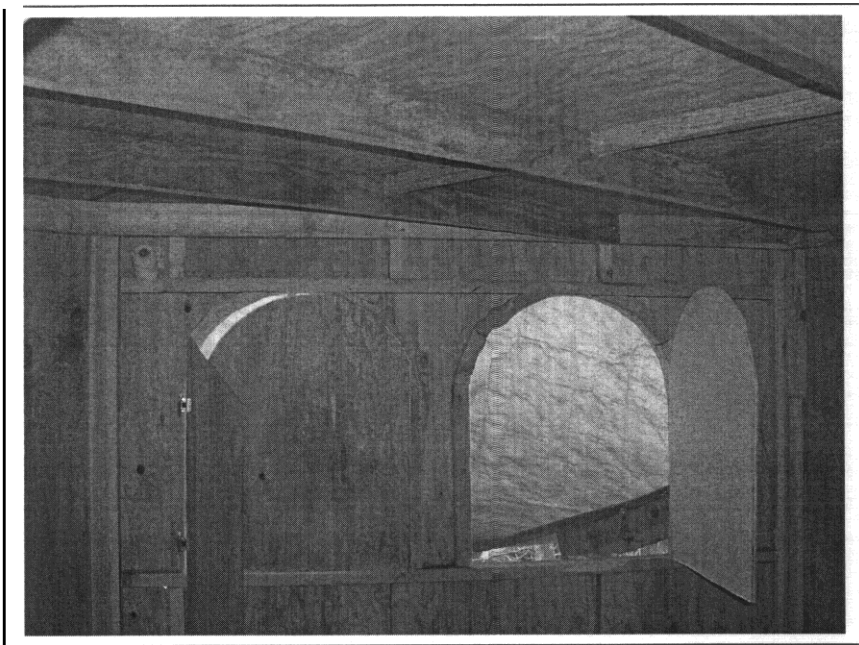
2019 KENWAY COURT (January 9, 2004)



2019 KENWAY COURT (January 9, 2004)



2019 KENWA' COURT (January 9, 2004)



RESOLUTION NO. 2005-57

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
SPECIFICATIONS, AUTHORIZING ADVERTISEMENT FOR BIDS
FOR SERVICES FOR THE ABATEMENT BY DEMOLITION AND REMOVAL
OF ZONING VIOLATIONS LOCATED AT 2019 KENWAY COURT
(APN 029-160-36), AND FURTHER AUTHORIZING THE CITY MANAGER
TO AWARD OR REJECT THE CONTRACT UP TO \$5,000

WHEREAS, this project includes the abatement by demolition and removal of zoning violations located at 2019 Kenway Court (APN 029-160-36) listed as follows:

- 1) the demolition and removal of an illegal and unsafe treehouse; and
- 2) the demolition and removal of an unpermitted patio cover that is built too close to the property line.

WHEREAS, the Community Development Department/Community Improvement Division issued a Notice of Violation on January 13, 2004, to the resident/property owner of 2019 Kenway Court due to the above referenced zoning violations; and

WHEREAS, following receipt of the Notice of Violation, the property owner had the opportunity to appeal the issues to the Planning Commission and failed to do so; and

WHEREAS, staff has endeavored to gain voluntary compliance to no avail, and the property owner has refused to respond to written communications and attempts by staff to contact him at the property; and

WHEREAS, on February 11, 2005, the City Attorney's Office issued a Notice of Non-compliance requiring that the violations be corrected, which resulted in no response or abatement by the property owner; and

WHEREAS, on March 16, 2005, the City Council issued directions to staff to pursue the abatement of the violations; and

WHEREAS, staff therefore recommends approval of the specifications and authorization for bids for the demolition and removal of the above-referenced zoning violations located at 2019 Kenway Court (APN 029-160-36), and further recommends authorizing the City Manager to award or reject the contract up to \$5,000 for this project.

NOW, THEREFORE, **BE** IT RESOLVED that the Lodi City Council does hereby approve the specifications and authorizes advertisement for bids for the demolition and removal of the zoning violations located at 2019 Kenway Court (APN 029-160-36) listed as follows:

- 1) the demolition and removal of an illegal and unsafe treehouse; and
- 2) the demolition and removal of an unpermitted patio cover that is built too close to the property line.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to award or reject the bid up to \$5,000 for this project.

Dated: April 6, 2005

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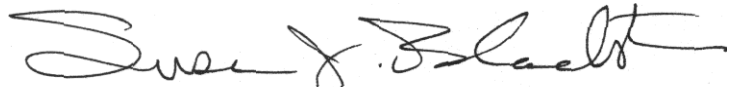
I hereby certify that Resolution No. 2005-57 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 6, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Mounce, and Mayor Beckman

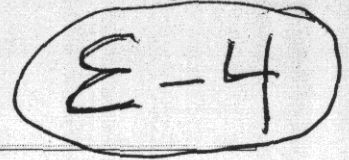
NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock

ABSTAIN: COUNCIL MEMBERS – None

A handwritten signature in black ink, appearing to read "Susan J. Blackston", written in a cursive style.

SUSAN J. BLACKSTON
City Clerk

**Susan Blackston**

From: Rad Bartlam
Sent: Wednesday, April 06, 2005 5:12 PM
To: Jennifer Perrin; City Council; Blair King; Janet Keeter; Steve Schwabauer; Joseph Wood
Subject: RE: Item E-4, violations at 2019 Kenway Court

Just so we are clear on the facts, Mr. Sorenson was last contacted by the City Attorney's office on February 11, 2005. In that letter, Ms. Magdich made it quite clear what needed to occur in order for this issue to be resolved. Simply remove the illegal construction.

Rad

-----Original Message-----

From: Jennifer Perrin
Sent: Wednesday, April 06, 2005 5:06 PM
To: City Council; Blair King; Janet Keeter; Steve Schwabauer; Rad Bartlam; Joseph Wood
Subject: Item E-4, violations at 2019 Kenway Court

Ronald Sorenson called regarding the above item and stated that he was unaware that this item was on the agenda tonight. He only heard about it this evening upon seeing the newspaper article. He stated that he would like to cooperate with the City to resolve this matter. He stated that his last contact with the City on this issue was ten months ago. He is unable to attend tonight's meeting, as he works in the foothills and is asking for an extension to the next meeting in order to answer Council questions and remedy the situation. Should anyone have questions, he may be reached on his cell phone (609-8133).

Jennifer M. Perrin, CMC
Deputy City Clerk
City of Lodi
P.O. Box 3006
Lodi, CA 95241
(209) 333-6702 x.2601

4/6/05